

**IN THE INCOME TAX APPELLATE TRIBUNAL, SURAT BENCH, SURAT
BEFORE SHRI BIJAYANANDA PRUSETH, ACCOUNTANT MEMBER &
SHRI DINESH MOHAN SINHA, JUDICIAL MEMBER
ITA No. 834/SRT/2024 (AY: 2010-11)
(Physical Hearing)**

Kalpesh Pandharinath Aglave, 193, Vishwakarma Society, Bhaiyanagar Punagam, Surat – 394211	Vs.	The ITO, Ward – 2(3)(2), Surat
स्थायीलेखासं./जीआइआरसं./PAN/GIR No.: AISPA8913G		
(Appellant)		(Respondent)

Appellant by	Shri Rasesh Shah, CA
Respondent by	Shri Mukesh Jain, Sr. Dr
Date of Hearing	05/02/2025
Date of Pronouncement	05/02/2025

आदेश / ORDER

PER BIJAYANANDA PRUSETH, AM:

This appeal by the assessee emanates from the order passed under section 250 of the Income-tax Act, 1961 (in short, 'the Act') dated 20.06.2024 by the learned Commissioner of Income Tax (Appeals), National Faceless Appeal Centre, Delhi [in short, 'CIT(A)'] for the assessment year (AY) 2010-11.

2. The learned Authorized Representative (Id. AR) of the assessee submitted that assessee has opted for the benefit of the Direct Tax Vivad Se Vishwas Scheme, 2024 (in short 'the VSVS, 2024'). A copy of Form No.1, bearing with Acknowledgement No.850438000300125, dated 30.01.2025, was submitted by the Id. AR with a request to permit to withdraw the appeal. This fact was confronted with the learned Senior Departmental Representative (Id.

Sr. DR) for the revenue. The Id. Sr. DR for the revenue submitted that he has no objection, if the appeal of the assessee dismissed as withdrawn.

3. We have considered the application of assessee for withdrawal of appeal and considering the prayer of assessee, the appeal of the assessee is dismissed as withdrawn with liberty to the assessee as well as to the revenue that in case the application preferred by the assessee under DTVSV, 2024 does not get finally settled for any reason whatsoever, then both the parties are at liberty to prefer Miscellaneous Application before this Tribunal for restoration of the appeal or any further direction and in such event, the appeal shall get restored. The Assessing Officer is directed to pass the consequential order.

4. In the result, appeal of the assessee is dismissed as withdrawn.

Order pronounced on 05/02/2025 in the open court.

Sd/-
(DINESH MOHAN SINHA)
JUDICIAL MEMBER

Sd/-
(BIJAYANANDA PRUSETH)
ACCOUNTANT MEMBER

Surat, Dated: 05/02/2025

SAMANTA

Copy to:

1. Appellant
2. Respondent
3. CIT(A)
4. CIT
5. DR
6. Guard File

// TRUE COPY //

By order

Assistant Registrar/Sr. PS/PS
ITAT, Surat